

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

FRED A. WHITAKER,  
Plaintiff,

v.

MICHAEL J. ASTRUE,  
Defendant.

Case No. [09-mc-80277-SI](#)

**ORDER REOPENING CASE**

Plaintiff has responded to the Court's order re: filing of complaint and indicated his desire to proceed with this action. The case will be reopened.

Plaintiff's motion to proceed *in forma pauperis* was filed in November 2009. Docket No. 3. If Plaintiff wishes to proceed *in forma pauperis*, he must file with the Court an updated application. If plaintiff's application to proceed *in forma pauperis* is granted, the Court will order service.

**Plaintiff's updated application to proceed *in forma pauperis* must be filed no later than February 16, 2015.**

**IT IS SO ORDERED.**

Dated: February 2, 2015



SUSAN ILLSTON  
United States District Judge